Applicant : Ylian Saint-Hilaire et al.   Attorney's Docket No.: 10559-425001 / P10439
Serial No. : 09/828,628
Filed   : April 5, 2001
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REMARKS

In view of the following remarks, reconsideration and allowance are respectfully requested.

Claims 1-12, 16-26, and 31-42 are currently pending, with Claims 1, 16, 23, 31, and 38 being independent.

Claims 1-12, 16-26, and 31-42 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Rudy et al., (USPN 6,360,252) in view of Petkovic et al., (USPN 6,185,527). This contention is respectfully traversed.

Claims 31, 33-38, and 42 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Rudy, Petkovic, and Gross et al. (USPN 6,161,138). This contention is respectfully traversed.

Claim 1

Claim 1 is patentable over Rudy and Petkovic at least because the references in the combination as suggested by the office action fail to teach or suggest each and every feature of the claims. For example, the cited references fail to teach or suggest that "preparing, at a first unit in a source device, first information to be transmitted to a destination across network link with a pre-determined reliability requirement."

Rudy teaches a technique for avoiding attachment presentation problems in email by transferring an email attachment to a device that can render it for presentation to the user (Rudy: Abstract; Col. 1, lines 63-66). As acknowledged

on pages 3, 5, 7, and 10 of the office action, Rudy fails to teach anything about a pre-determined reliability.

Petkovic fails to remedy the deficiencies of Rudy. For example, Petkovic discloses a method of using a speech recognition engine to translate speech and to identify predetermined audio features in the audio stream to increase the reliability of the speech being recognized (Petkovic: Abstract; Col. 1, lines 7-12; Col. 3, lines 7-25). For example, Petkovic states that "the present invention does not seek to improve speech recognition engines per se, but to improve the precision and recall of information retrieval systems (that might use speech recognition engines) by improving the way in which audio streams are indexed" (Petkovic: Col. 3, lines 23-28). Petkovic teaches that selected audio portions are converted into text, and two weights (i.e., the "confidence level" and "emphasis" weights) are used to increase the accuracy of the conversion, in which the two weights are based on whether a particular word was derived from an "emphasized" speech segment (Petkovic: Col. 8, lines 41-67; Col. 9, lines 1-12). Petkovic seeks to increase the confidence level and accuracy of audio translated into text. Thus, the reliability of the audio conversion into text in Petkovic has nothing to do with the pre-determined reliability requirement as recited in Claim 1. Petkovic fails to teach or suggest this feature of Claim 1.

For at least these reasons, Claim 1 is distinctly patentable over Petkovic and Rudy.

Claims 16, 23, 31, and 38

Claims 16, 23, 31, and 38 include patentable subject matter similar to Claim 1, as described above. These claims are patentable over the suggested combination of Rudy and Petkovic for at least the same reasons described above with respect to Claim 1. The Applicants respectfully request that these claims be allowed.

Claims 31 and 38 are further allowable over the suggested combination of Rudy, Petkovic, and Gross at least because Gross does not teach or suggest each and every feature of the claim. Gross fails to remedy the deficiencies of Petkovic and Rudy. For example, Gross teaches a method to solve collision problems in Carrier Sensing Multiple Access (CSMA) systems by giving control of the size of a reserved portion of a packet to stations within a network (Abstract of Gross). Gross also teaches controlling the network timing by using one of the stations as a conductor station for other stations in the network (Abstract of Gross). Gross discloses controlling the synchronization of packets in a system (Gross: Col 1, lines 30-65; Col 5., lines 50-60; Col. 6, lines 47-60; Col. 8, lines 45-50).

However, Gross fails to teach or suggest a feature of Claims 31 and 38 of preparing reliable information included in a stream of information that is prepared separately from preparing unreliable information in the stream. This feature is not taught in Gross. The synchronization of packets in a system taught in Gross does not suggest or distinguish whether the information is reliable (first) information or unreliable (second) information. For example, Claims 31 and 38 recite that

"the reliable information is configured to require a pre-determined reliability requirement for transmission."

Furthermore, Gross fails to disclose the features of Claims 31 and 38 of separately preparing the reliable and unreliable information in a single source device by different units and putting the information together in a data stream. Gross discloses preparing isochronous data and asynchronous data (Gross: Col. 1, lines 54-61; Col. 2, lines Abstract). However, (1) the Gross clocking/synchronization scheme does not teach the pre-determined reliability requirement of Claims 31 and 38, and (2) Gross does not use separate units to prepare reliable and unreliable information in a single source device and then put that information into a data stream.

.As noted in paragraphs 31-32, pages 8-9 of the Office Action of 11/17/2004, "Gross does not teach the source includes a mobile unit" and "Gross does not teach the destination includes home network." As noted in paragraph 35, page 9 of the Office Action of 11/17/2004, "Gross ... do not teach a destination-side of the network link, de-framing the information." Therefore, Gross fails to teach or suggest several features of the claims according to the previous office action.

Moreover, pages 8 and 9 of current Office Action alleges that Gross teaches unreliable information in Cols. 21, 27 and 28. However, Cols. 21, 27 and 28 are not in Gross (i.e., Gross only has 20 columns). Gross fails to teach or suggest Claim 16 in Col. 7, lines 14-22 at least because this section only discusses the implementation of the buffering storage locations (i.e., the FIFO and static RAM). Furthermore, as noted above,

Gross fails to teach or suggest that "the reliable information is configured to require a pre-determined reliability requirement for transmission." Hence, the rejection under 35 U.S.C. 103 is improper.

For at least these reasons, the Applicants respectfully request that the rejection to independent Claims 16, 23, 31, and 38 under 35 U.S.C. 103 be respectfully withdrawn.

Claims 2-12, 17-22, 24-26, 32-37, 39-42

Claims 2-12, 17-22, 24-26, 32-37, 39-42 are allowable because they all depend from an allowable base claim, and all recite allowable subject matter in their own right.

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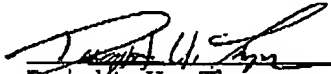Page   : 7 of 7

Conclusion

In view of the amendments and remarks herein, the Applicants believe that Claims 1-12, 16-26, and 31-42 are in condition for allowance and ask that these pending claims be allowed. The foregoing comments made with respect to the positions taken by the Examiner are not to be construed as acquiescence with other positions of the Examiner that have not been explicitly contested. Accordingly, Applicants' arguments for patentability of a claim should not be construed as implying that there are not other valid reasons for patentability of that claim or other claims.

No fee is believed to be due at this time.

Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: November 9, 2005

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